

REMARKS

Claims 1-3, 6-13 and 15-21 are pending. By this amendment, claim 5 is canceled, claims 1 and 17 are amended, and claims 20 and 21 are added. Reconsideration based on the above amendments and following remarks is respectfully requested.

This Supplemental Amendment is submitted in response to the Advisory Action mailed May 7, 2003. The May 7 Advisory Action indicates that the April 2 Amendment After Final Rejection does not place the claims in condition for allowance.

This Amendment includes the claim amendments and arguments of the April 2 Amendment After Final Rejection and further amends independent claims 1 and 17 to recite that the chip is located in a storage well such that the chip is surrounded by the walls of the storage well. Further, claims 1 and 17 have been amended to further recite that the retaining means comprises at least one hot or cold formed projection on the inner surface of the side wall.

The previous Office Action rejects claims 1, 3, 4, 6 and 9-12 under 35 U.S.C. §102(b) over European Patent No. 569753 to Westhall; and rejects claims 2, 5, 7, 8, 13 and 15-19 under 35 U.S.C. §103(a) over Westhall in view of Great Britain Publication No. 2,147,698 to Albon. Further the Advisory Action indicates that U.S. Patent No. 5,945,334 to Besemer teaches several means for retaining the chip in the well. These rejections and assertions are respectfully traversed.

Applicants submit that claims 1 and 17 clearly distinguish over Besemer (see, for example, Figs. 18-20 in Besemer) since Besemer does not disclose the location of a chip in a storage well such that the chip is surrounded by the walls of the storage wells. Furthermore, Besemer does not disclose that the retaining means is in the form of hot or cold formed projections.

In contrast, Besemer uses a separate clamp to hold the chip in position (See Fig. 20b in Besemer) and as discussed above, does not disclose locating the chip in a storage well. Thus, in the applied art, it would not be possible to immerse the chip with fluid, as advantageously achieved with the present invention.

The Office Action originally rejected claim 5 based on the combination of Westhall and Albon. However, as Applicants asserted in the April 2 Amendment After Final Rejection, Westhall fails to disclose any retaining means while Albon is completely unrelated to the use of chips. Applicants submit that it would not have been obvious to utilize features from Albon, which relates to elongate inserts, when modifying the arrangement of Westhall. Furthermore, there is no reason or motivation to modify Westhall to include retaining means since in Westhall, the holder 2 is designed to be maintained in an upright condition.

For at least these reasons, it is respectfully submitted that claims 1-3, 6-13 and 15-19 distinguish over the applied art. Withdrawal of the rejections under 35 U.S.C. §102(b) and 35 U.S.C. §103(a) is respectfully requested.

New claims 20 and 21, which depend from independent claims 1 and 17, respectively, define the form of the projection in more detail. Applicants respectfully submit that new claims 20 and 21 distinguish over the applied art for at least the reasons discussed above as well as for the additional features they recite.

For at least the reasons set forth above, Applicants respectfully submit that the claims define patentable subject matter. Favorable consideration and prompt allowance are respectfully solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the Applicants' undersigned representative at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

George P. Simion
Registration No. 47,089

JAO:GPS/dmw

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Attachment:
Petition for Extension of Time

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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